

accident was careless. In fact, even if they aren't careless but are responsible, they're held to have to pay. If they're responsible for the accident, even though they weren't careless, they're responsible and have to pay. Now, take a look at Section 4 on page 3 of this amendment. It says, a court, and this will be a federal court, shall apply the radiation dose limits, those are the federal radiation dose limits that occur in federal law, as the standard of care in an action brought under the federal act arising out of or resulting from a nuclear incident. Notice it doesn't say an extraordinary nuclear incident, it is a nuclear incident. So that we're in the area of where the state can act. What does Section 4 mean? It means this to me, a train is speeding across Nebraska, maybe it's in a legitimate speed. The engineer is being alert. The packages have been carefully packed. The casks containing these rods have been carefully screwed on. Every care has been given. For some reason the train jumps the rails, the cask breaks open, and a farmer has a thousand head of cattle that die and land irradiated by a spent nuclear fuel rod. That farmer goes to court, he'll go to federal court. He will prove, basically, that there was a radiation dose on his land, that that radiation dose was sufficient to...that it met the...

PRESIDENT ROBAK: One minute.

SENATOR LANDIS: ...standard of the Price-Anderson Act. He will describe the relationship between that dosage release and the death of his cattle and the irradiation of his land and he will make a claim for the cost of his cattle and his land, proving how much that is of value, and he will seek recovery from the insurance fund. If the radiation dose limits have been met, if those radiation limits are the approximate cause of the injury, and if the damage can be proved, the farmer gets money. That's what that says. What you don't have to prove is that there was carelessness in the packing, the driving, the transporting. If there, if the dose limits were released into the air or the ground, if they were the approximate cause of injury and the injury caused damage that people have, they can sue and recover.

PRESIDENT ROBAK: Time.

SENATOR LANDIS: That's what you have to prove.

PRESIDENT ROBAK: Thank you, Senator Landis. Senator Wehrbein.